

# ECF TRANSCRIPTION SHEET



**ANDREW J. PECK**  
**UNITED STATES MAGISTRATE JUDGE**  
**UNITED STATES DISTRICT COURT**  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

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**Dated:** December 12, 2014

**Total Number of Pages:** 2

**MEMO ENDORSED:**

Approved but get as many as possible of the 4 to attend.

Copies by ECF to: All Counsel  
Judge Stanton

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## MEMO ENDORSED

December 12, 2014

Planned but get as many as possible to attend.

SO ORDERED:

*Andrew J. Peck*  
Hon. Andrew J. Peck  
United States Magistrate Judge

*cm LSP*  
*PL*  
*JM*  
*JP*  
*Stoltz*

BY ECF

The Honorable Andrew J. Peck  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Ronard Lora, et al., v. J.V. Car Wash, Ltd., et al., No. 11-CV-9010 (LLS) (AJP)

Dear Judge Peck:

We represent the Plaintiffs Ronard Lora, Hugo Rivera, Marco Antonio Diaz, Melvin Lora, Eduardo Lora, Giovanni Paulino, Jose Rodriguez and Jose Rodolfo Rodriguez-Tineo (the "Named Plaintiffs"), together with Ramon Alvarez, Denis Rene Barahona, Margarito Gallardo, Braulio Flores Matamoros, Robertico Perez Olmos, Jose Antonio Pichardo, Michel Rodriguez, Francisco Guerrero, Rojas Corona Valerio and Ramiro Rodriguez del Pilar (the "Opt-In Plaintiffs") (collectively, "Plaintiffs"), in the above-referenced action (the "FLSA Action").<sup>1</sup> We write with respect to the settlement conference in this FLSA Action, currently scheduled for December 23, 2014, at 2:00 p.m.

Your Honor's December 10, 2014 Order for Settlement Conference requires that all Plaintiffs must be present at this conference. While we have confirmed that twelve of the sixteen Plaintiffs will be at the conference, two Plaintiffs have advised us that it would put their jobs at risk to miss work on December 23, given that it is the height of the holiday season, when their places of employment are at their busiest. Another of the Plaintiffs is out of the country. We are waiting to hear back from one remaining Plaintiff as to his ability to attend. Given that the majority of the Plaintiffs will be present, we respectfully ask that the Court excuse the appearance of these (potentially) four individuals at the settlement conference.

We have full authority to attend and negotiate on the Plaintiffs' behalf. If it is necessary during the course of the settlement conference, we will be able to reach each of the non-attending Plaintiffs by telephone, and we ask the Court's permission to do so.

We will provide an update to the Court and to counsel for the Defendants by the end of next week, in accordance with the Order for Settlement Conference.

Respectfully submitted,

*Steven Arenson*  
Steven Arenson

SA:

cc: Wendy J. Mellk, Esq. (by ECF)  
Daniel M. Stoltz, Esq. (by electronic mail)  
Stacy L. Meisel, Esq. (by electronic mail)

<sup>1</sup> Plaintiffs Eduardo Lora and Jose Rodriguez recently accepted offers of judgment made by the Defendants, and will not be participating in the settlement conference for that reason.